

## SUPPLEMENT TO EXHIBIT B

### DISPUTED CLAIM TERMS, PHRASES OR CLAUSES FOR CONSTRUCTION BY THE COURT

Term, Phrase, or Clause	AOS's Proposed Construction and Evidence in Support	Fairchild's Proposed Construction and Evidence in Support
<b>AOS '630 Patent</b>		
<b>applying a polysilicon mask for etching said polysilicon layer to define a plurality of polysilicon gates</b>  Found in 5,930,630, claim 1	<p><b>PROPOSED CONSTRUCTION:</b> the meaning of this phrase is clear and unambiguous to a person of skill in the art, and thus it need not be construed by the court</p> <p>In the event that the Court deems it necessary to construe this term pursuant to the recently decided case of <i>O2 Micro Intern. Ltd. v. Beyond Innovation Tech. Co., Ltd.</i>, 521 F.3d 1351, 1360-63 (Fed. Cir. 2008), AOS proposes the following construction<sup>1</sup>:</p> <p>Applying a polysilicon mask allowing for the removal of a portion of the polysilicon layer, said removal defining a plurality of either trench or planar gates.</p> <p><b>INTRINSIC EVIDENCE:</b> 3:58-65, 4:1-9, 4:24-34, 5:44-52, 5:64-6:2, 6:11-12, 7:11-23, 8:55-9:17, 9:48-10:19.</p> <p>Fig. 6 and related text.</p>	<p><b>PROPOSED CONSTRUCTION:</b> Applying a mask having a plurality of openings to allow the removal of areas of a polysilicon layer to form a plurality of polysilicon gates corresponding to the plurality of areas of the mask which are not open.</p> <p><b>INTRINSIC EVIDENCE:</b> <u>'630 patent</u>: abstract; Figs. 5A, 5B; 4:48-5:13; 5:42-43; 6:65-7:23; 8:1-8:22.</p> <p><b>DICTIONARY/TREATISE DEFINITIONS:</b> <i>Merriam Webster's Collegiate</i></p>

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<sup>1</sup> AOS does not believe that the *O2 Micro* decision requires the Court to construe this phrase if the Court agrees that the claim language needs no further construction, so long as the Court resolves the dispute set out in the parties' claim construction briefs. AOS has not seen or had the opportunity to brief Fairchild's proposed construction for the term it previously said need not be construed. Accordingly, and without having seen Fairchild's proposed construction of the term, AOS reserves its right to object to Fairchild's proposed construction and/or to request an opportunity to brief the propriety of Fairchild's newly proposed claim construction.

Term, Phrase, or Clause	AOS's Proposed Construction and Evidence in Support	Fairchild's Proposed Construction and Evidence in Support
	EXTRINSIC EVIDENCE: Expert testimony.	<p><i>Dictionary</i>, 1999, p. 303 (define).</p> <p><i>The American Heritage Dictionary</i>, 1985, p. 375 (define).</p> <p>EXTRINSIC EVIDENCE: Fairchild may submit an expert declaration from Dr. Richard A. Blanchard regarding the background of the technology of the patents-in-suit, the level of ordinary skill in the art, and why one of ordinary skill in the art would construe the claim terms as set forth herein.</p>
<b>Fairchild MO Patents</b>		
<p><b>wherein the heavy body forms an abrupt junction with the well</b></p> <p>Found in 6,429,481, claim 1</p>	<p><b>PROPOSED CONSTRUCTION</b><sup>2</sup>:</p> <p>the doping concentration gradient at the junction between the heavy body and the well is sufficiently high that further increasing the doping concentration gradient does not further reduce the breakdown voltage at the p-n junction between the well and the substrate</p> <p>A linearly graded junction is not an abrupt junction.</p> <p><b>INTRINSIC EVIDENCE:</b>            '481 patent: 1:15-21, 2:34-37, 5:26-28.</p> <p>Prosecution History of '481 patent, Office Action dated December 5, 2000, pages 3-4.</p> <p>Prosecution History of '481 patent, Amendment received at the PTO June 7, 2001, pp. 5-16.</p>	<p><b>PROPOSED CONSTRUCTION:</b></p> <p>The transition between the heavy body and the well occurs over a short distance relative to the depth of the well.</p> <p><b>INTRINSIC EVIDENCE:</b>  <u>'481 patent</u>: 2:65-3:1; 4:5-6; 5:27-38; 7:18-42; Fig. 5; 4:38-41.  <u>'406 patent</u>: 3:3-6; 4:10-11; 4:42-44; 5:30-41; 7:22-46; Fig. 5.  <u>'195 patent</u>: 2:39-42; 3:63-64; 4:29-31; 5:17-28; 7:11-36; Fig. 5.  <u>'481 patent file history</u>: Application dated November 14, 1997 (including drawings); Preliminary Amendment dated</p>

<sup>2</sup> AOS asserted in its Supplemental Preliminary Invalidity Contentions that this claim element is indefinite. Fairchild does not agree.

Term, Phrase, or Clause	AOS's Proposed Construction and Evidence in Support	Fairchild's Proposed Construction and Evidence in Support
	<p>Prosecution History of '481 patent, Amendment received at the PTO Dec. 31, 2001, pp 1-7.</p> <p>Prosecution History of '195 patent, Amendment received at the PTO Oct. 23, 2003, page 9.</p> <p>Appeal Brief for Application No. 10/630,249 dated November 3, 2005 at page 8.</p> <p><b>EXTRINSIC EVIDENCE:</b> The IEEE Standard Dictionary of Electrical and Electronics Terms, 6th ed. 1997, page 1.</p> <p>McGraw-Hill Electronics Dictionary, 5th Edition 1994, page 1.</p> <p>Sze, Physics of Semiconductor Devices, 1981, pages 74, 63-132.</p> <p>Ghandhi, Sorab K., Semiconductor Power Devices, 1977, page 298.</p> <p>Warner, R. M. Jr. &amp; Grung, B.L., Transistors : Fundamentals for the Integrated-Circuit Engineer, 1990, pages 210, 446-455.</p> <p>Warner, R.M. Jr. &amp; Grung, B.L., Semiconductor-Device Electronics, 1991, pages 305-308.</p> <p>Expert testimony.</p>	<p>September 5, 2000 (including remarks); Amendment dated June 7, 2001 (including remarks); Amendment Under 37 CFR 1.116 Expedited Procedure Examining Group 2815 dated December 31, 2001 (including remarks).</p> <p><b>EXTRINSIC EVIDENCE:</b> Fairchild may submit an expert declaration from Dr. Richard A. Blanchard regarding the background of the technology of the patents-in-suit, the level of ordinary skill in the art, and why one of ordinary skill in the art would construe the claim terms as set forth herein.</p>
<b>depth of the junction, relative to the depth of the well, is adjusted so that a transistor</b>	PROPOSED CONSTRUCTION <sup>3</sup> : selecting by repeated	PROPOSED CONSTRUCTION: Fairchild does not believe construction of this term is

<sup>3</sup> AOS asserted in its Supplemental Preliminary Invalidity Contentions that this claim element is indefinite. Fairchild does not agree.

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<p><b>breakdown initiation point is spaced away from the trench in the semiconductor, when voltage is applied to the transistor</b></p> <p>Found in 6,429,481, claim 1</p>	<p>experiments or by computer simulation the relative depths of the well and the junction for the purpose of moving initiation of breakdown in the device toward the center of the body region between adjacent trenches</p> <p>INTRINSIC EVIDENCE:            '481 patent, 2:29-32, 2:59-62, 5:8-17.            Prosecution History of '481 patent, Application as Filed, pages 15-17.            Prosecution History of '481 patent, Amendment received at the PTO Nov. 8, 1999, pp. 8-10.            Prosecution History of '481 patent, Amendment received at the PTO Sept. 5, 2000, page 9.            Prosecution History of '481 patent, Amendment received at the PTO June 7, 2001, pp. 9, 15-20.</p>	<p>required. The ordinary meaning should apply.</p> <p>In the event that the Court deems it necessary to construe this term pursuant to the recently decided case of <i>O2 Micro Intern. Ltd. v. Beyond Innovation Tech. Co., Ltd.</i>, 521 F.3d 1351, 1360-63 (Fed. Cir. 2008), Fairchild proposes the following construction<sup>4</sup>:</p> <p>depth of the junction, relative to the depth of the well, is selected such that breakdown in the transistor initiates at a point that is not adjacent to a trench in the semiconductor, when voltage is applied to the transistor</p> <p>INTRINSIC EVIDENCE:  <u>'481 patent</u>: 2:29-32; 2:59-62; 5:8-12; 9:38-44; 9:47-50; Figs. 1, 1A, 1B, 2; 4:16-29.  <u>'406 patent</u>: 2:34-37; 2:64-67; 5:11-15; 8:63-67; 9:5-8; 9:56-62; 9:65-10:2; Figs. 1, 1A, 1B, 2; 4:20-33.  <u>'481 patent file history</u>: Amendment dated June 7, 2001 (including remarks); Amendment Under 37 CFR 1.116 Expedited Procedure Examining Group 2815 dated December 31, 2001 (including remarks).</p>

<sup>4</sup> Fairchild has not seen until this filing or had the opportunity to brief AOS's proposed construction for the term it previously said need not be construed. Accordingly, and without having seen AOS's proposed construction of the term until this filing, Fairchild reserves its right to object to AOS's proposed construction and/or to request an opportunity to brief the propriety of AOS's newly proposed claim construction.

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	<p>Prosecution History of '481 patent, Amendment received at the PTO Dec. 31, 2001, pp. 2-6.</p> <p>Appeal Brief for Patent Application No. 10/630,249, dated Nov. 3, 2005, pages 9, 14, 15, and 18.</p> <p>EXTRINSIC EVIDENCE: Expert testimony.</p>	<p>DICTIONARY/TREATISE DEFINITIONS: <i>The Random House Dictionary of the English Language</i>, 1967, p. 1167 (purpose).</p> <p>EXTRINSIC EVIDENCE: Fairchild may submit an expert declaration from Dr. Richard A. Blanchard regarding the background of the technology of the patents-in-suit, the level of ordinary skill in the art, and why one of ordinary skill in the art would construe the claim terms as set forth herein.</p>
<b>Fairchild '947 Patent</b> <b>acting as a field plate to extend the device breakdown voltage in the termination region</b>  Found in 6,818,947, claim 1	<p>PROPOSED CONSTRUCTION: a conductive ring formed in a trench in the termination region, resulting in a higher breakdown voltage in the termination region by modifying the depletion layer in the underlying substrate<sup>5</sup></p> <p>INTRINSIC EVIDENCE: 1:31-36, 1:43-67, 4:33-46, 6:27-35, 7:9-16, 8:1-6.</p> <p>Prosecution History, Amendment</p>	<p>PROPOSED CONSTRUCTION: Acting as a conductive structure at or near the top surface of the substrate to increase breakdown voltage in the termination region.</p> <p>INTRINSIC EVIDENCE: 1:25-67; 2:2-48; 3:51-5:63; 6:12-36; 6:66-7:19; 7:20-8:15; Figs. 1, 2, 3A, 3B, 3C, 4A, 4B</p>

<sup>5</sup> In response to arguments by Fairchild in its Opening Claim Construction Brief, AOS has replaced the word "silicon" with "substrate" in its proposed definition.

Term, Phrase, or Clause	AOS's Proposed Construction and Evidence in Support	Fairchild's Proposed Construction and Evidence in Support
	<p>received at the PTO July 21, 2003.</p> <p>Prosecution History, Amendment received at the PTO Dec. 29, 2003.</p> <p>B. Jayant Baliga, Modern Power Devices, 1992, pages 116-119 (incorporated by reference in the specification).</p> <p>Sorab K. Ghandhi, Semiconductor Power Devices, 1977, pp. 63-70 (incorporated by reference in the specification).</p> <p><b>EXTRINSIC EVIDENCE:</b> U.S. Patent No. 5,233,215 (Baliga), 4:5-21, 5:19-24, 45-52, 5:66-6:9, 8:6-58, Fig. 4, Fig. 5, Fig. 6, and related text.</p> <p>Expert testimony.</p>	<p>EXTRINSIC EVIDENCE: Fairchild may submit an expert declaration from Dr. Richard A. Blanchard regarding the background of the technology of the patents-in-suit, the level of ordinary skill in the art, and why one of ordinary skill in the art would construe the claim terms as set forth herein.</p>